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2013 MAY -6 A 11: 31

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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

May 1, 2013

Via FedEx

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

Arizona Corporation Commission
DOCKETED

MAY 6 2013



Re: Commission Staff's First Set of Data Requests to Conterra Ultra
Broadband, LLC; Docket No. T-20869A-12-0499

Dear Sir or Madam:

Enclosed are an original and 13 copies of Conterra Ultra Broadband, LLC's ("Conterra") response to the Commission staff's data requests regarding Conterra's Application for a Certificate of Convenience and Necessity to provide Cellular Backhaul Transport (Carrier Grade Ethernet or TDM Connectivity and Transport) and Access Networks and Broadband Networks (Carrier Grade Ethernet and Voice Connectivity Transport) within the State of Arizona. Please note that all responses to the data requests are provided by Angela C. Lee, Conterra's Vice President, Corporate Counsel and Secretary.

We have included an extra copy of Conterra's response and would appreciate if you would date-stamp that copy and return it in the enclosed self-addressed, stamped envelope. If you have any questions regarding the response, please contact me. Thank you for your consideration of this matter.

Respectfully submitted,

Thomas F. Bardo
Counsel for Conterra Ultra
Broadband, LLC

TFB:gteferi
Enclosures

**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS TO
CONTERRA ULTRA BROADBAND, LLC
DOCKET NO. T-20869A-12-0499**

Please make sure each numbered item and each part of the item is answered completely. In order for Staff to continue with its review of this Application, the following information must be submitted:

PJG 1.1 Please provide a schematic illustrating a representative example of each service that Conterra proposes to offer in Arizona.

Please see attached Exhibit PJG 1.1 which provides a schematic diagram of the services Conterra proposes to offer in Arizona.

PJG 1.2 Staff's understanding is that the services Conterra is requesting to provide in Arizona are private line services. Please confirm whether Staff's understanding is correct. If it is not correct, please provide a more accurate understanding.

The staff's understanding is correct.

PJG 1.3 Please indicate the total number of employees of Conterra and its affiliates.

The total number of employees of Conterra and its affiliates is 71.

PJG 1.4 Please describe Conterra's plan for providing customer service to its customers in Arizona.

Conterra's customer service personnel will be available to Conterra's Arizona customers for customer service 24 hours per day, 7 days a week. Conterra's toll-free customer assistance number is 800-634-1274.

PJG 1.5 Does Conterra plan to have a customer service center in Arizona?

No.

PJG 1.6 Does Conterra plan to have employees in Arizona? If so, please indicate the number of employees.

No.

PJG 1.7 Please state the year when Conterra was founded.

Conterra was established in 2001.

PJG 1.8 Please indicate where Conterra is headquartered.

Conterra is headquartered in Charlotte, North Carolina.

PJG 1.9 Please provide the number of years of telecommunications experience for each of Conterra's Directors/Officers/Partners as listed in Attachment A of Conterra's Application.

Stephen R. Leeolou – 30 years in telecommunications and communications industries.

Dennis Francis – 26 years as a professional engineer, senior technical manager, and operating manager with major telecommunications corporations.

Van Snowdon – over 26 years' experience in developing and operating international emerging technology, wireless communications and growth businesses.

Mark Heller – 14 years' experience as project development leader for a major wireless carrier.

Keith Stines – 31 years' experience in project management and telecommunications.

Craig Simpson – over 20 years of telecommunications sales and marketing experience

Eric Burgess – 20 years' experience of financial management, including all aspects of accounting, financial reporting, internal controls, budgeting and forecasting.

PJG 1.10 As identified in (A-11) of Conterra's Application, please provide copies of the documents from the Florida Public Service Commission ("FL PSC") indicating that the issue has been resolved and closed. Please be sure that the FL PSC docket number is identified in the documents.

Please see attached Exhibit PJG 1.10 indicating that the Florida Public Service Commission closed the compliance investigation docket on September 15, 2008. The docket number for this proceeding was Docket 080322.

PJG 1.11 Please review, make appropriate corrections, and file a replacement Original Page No. 1 to Conterra's proposed Arizona Corporation Commission Tariff No. 1 as the services that Conterra is requesting authority to provide in Arizona are not "Local Exchange Communications Services".

Please see the revised Original Page No. 1 to Conterra's proposed Arizona Corporation Commission Tariff No. 1 attached as Exhibit PJG 1.11.

PJG 1.12 While Conterra will be providing services on an individual case basis ("ICB"), the Arizona Corporation Commission ("ACC") requires rates for

all services within a Company's tariff regardless of the Company's intention to offer ICBs. In Conterra's proposed Arizona Corporation Commission Tariff No. 1, on Original Page 20, at 3.1, and Original Page 21, at 4.1, Conterra indicates that its proposed rates are ICB. Please review, make the appropriate corrections, and file replacement tariff pages specifying, at a minimum, the maximum rates for each service that Conterra intends to provide in Arizona.

Please see the revised Original Tariff Pages No. 20 and 21 to Conterra's proposed Arizona Corporation Commission Tariff No. 1 attached as Exhibit PJG 1.12. Revised Section 4.1 sets forth the maximum rates for services to be offered by Conterra in Arizona.

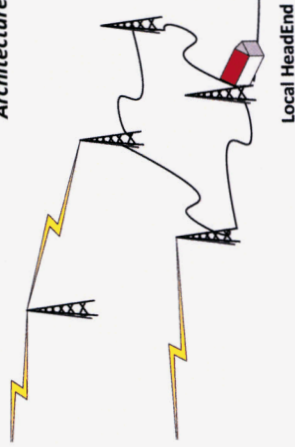
PJG 1.13

As indicated in Attachment D of Conterra's Application, the financial statements and the Independent Auditor's Report for Conterra Ultra Broadband Holdings, Inc. for the years ending December 31, 2010 and December 30, 2011 have been redacted pending a signed confidentiality agreement. As requested, Staff will provide the Applicant with the Commission's standard confidentiality agreement.

Please acknowledge that Conterra will still be required to allow Staff to include four figures in its Staff Report – Net Income, Total Assets, Total Equity, and the Net Book Value of all Arizona jurisdictional assets.

Attached as Exhibit PJG 1.13 are financial statements that Conterra has prepared for use in connection with certain applications for authorization to provide competitive local exchange services in certain states. Conterra respectfully requests that the attached financial statements be incorporated into this application docket proceeding. Conterra respectfully submits that the attached financial statements contain the requested net income, total assets and total equity information requested by the Commission and Conterra acknowledges that it will be required to allow Commission staff to include such information in the Commission's Staff Report regarding this application. Finally, Conterra listed the net book value of its jurisdictional assets in Arizona in response to item B-4 of its Application and Petition to Provide for Certificate of Convenience and Necessity to Provide Intrastate Telecommunications Services filed on December 27, 2012. Conterra acknowledges that it will be required to allow Commission staff to include the listed value of Conterra's jurisdictional assets in Arizona in the Staff Report.

Exhibit PJG 1.1



The diagram illustrates a Suburban Fiber Backhaul network. A central fiber hub (blue cube) is connected via orange lines to two red-and-white cube nodes. These nodes are further connected via yellow lightning bolts to multiple antenna towers. The network is divided into three sections by vertical red dotted lines. The rightmost section is labeled 'Local Headend'.

Suburban Fiber Backhaul



The diagram illustrates a Metro MW/Fiber Hybrid Architecture. A central 'Exchange Point' is connected via fiber (solid lines) to several buildings. One building is connected to a satellite network (dotted line) with two satellites. Another building is connected to a building with a red lightning bolt, which is then connected to a building with a red lightning bolt. The diagram shows a mix of fiber and microwave links connecting various components.



Exhibit PJG 1.10

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Docket 080322

Compliance investigation of AAV Certificate No. 8536, issued to Conterra, LLC d/b/a Conterra Wireless Broadband, for apparent second-time violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

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WARNING: THIS TIME SCHEDULE IS TENTATIVE AND SUBJECT TO REVISION

Time Schedule (CASR) for Docket 080322

Description	Previous Due Date	Due Date	Completed Date
Request to Establish Docket	none	06/18/2008	06/18/2008
PAA Order - Compliance Investigation	none	08/04/2008	08/11/2008
Payment of \$1000	none	08/22/2008	08/22/2008
Consummating Order if No Protest-Compliance Inv.	none	09/04/2008	09/05/2008
Close Docket - Compliance Investigation	none	09/19/2008	09/15/2008

Utilities Involved in Docket 080322

Utility Companies (1)

Conterra, LLC d/b/a Conterra Wireless Broadband (TA075)

Parties of Record and Interested Parties in Docket 080322

Parties of Record (1)

Conterra Wireless Broadband

Mr. John J. La Penta
2101 Rexford Road, Suite 200 E
Charlotte, NC 28211-3049
Phone: (704) 365-6701
FAX: (704) 365-6202
Email: jlapenta@conterra.com

Interested Persons (0)

Staff Assigned to Docket 080322

PSC Staff

Division of Regulatory Compliance

Paula Isler

Office of the General Counsel

Timisha Brooks

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Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
1-800-342-3552

Exhibit PJG 1.11

Conterra Ultra Broadband, LLC

REGULATIONS AND SCHEDULE OF CHARGES

APPLYING TO COMMUNICATIONS SERVICES
WITHIN THE STATE OF ARIZONA

This tariff contains the descriptions, regulations, and rates applicable to the communications services offered by Conterra Ultra Broadband, LLC within the State of Arizona. The Company has principal offices at 2101 Rexford Road, Suite 200E, Charlotte, NC 28211, telephone number (800) 634-1374. This tariff is on file with the Arizona Corporation Commission ("Commission"). Copies may be inspected during normal business hours at the Company's principal place of business.

ISSUED: _____

EFFECTIVE: _____

Angela Lee
Corporate Counsel & Secretary
2101 Rexford Road, Suite 200E
Charlotte, NC 28211
Telephone: 704-936-1806
Fax number: 704-936-1801
Email address: alee@conterra.com

Exhibit PJG 1.12

SECTION 3 - DESCRIPTION OF SERVICES**3.1 Individual Case Basis (ICB) Arrangements**

All of the services provided by Conterra are provided on an individual case basis ("ICB"). The maximum rates for such ICB service offerings are set forth in Section 4.1.

3.2 Dedicated, Point-to-Point Ethernet WAN Service

This service enables Customer to meet the demands of bandwidth intensive applications between locations with reliable, scalable, point-to-point Ethernet connectivity. This carrier grade, broadband, Layer 2 service provides secure, high-speed connectivity that scales from 10 Mbps to 10 Gbps.

3.3 Dedicated Virtual Ethernet WAN Service

This service combines the flexibility of a point-to-multipoint configuration with guaranteed bandwidth so you can be certain you will have the necessary capacity to support your remote users. With this Service, Company specifies the Committed Information Rate ("CIR").

3.4 Switched Virtual Ethernet WAN Service

This service is a transparent WAN in which multiplexing occurs within the network. With this service, Company allows Customer a Peak Information Rate ("PIR") to burst up to this rate when capacity is available.

3.5 Other Services

Other services may be provided by the Company.

SECTION 4 – RATES AND CHARGES**4.1 Rates**

The maximum rates for the services to be provided by Conterra in Arizona are: \$12,500 for 100 MBMW delivered and \$7,500 for 1GB fiber, \$10,000 for 10 GB Fiber.

Rates are per month, no non-recurring charge, 60 month term.

4.2 Application of Rates

4.2.1 Where this Tariff provides for a Standard Rate or Charge for a service, such Standard Rate or Charge shall apply to Customer's use of such service regardless of the terms of Customer's Customer Service Agreement, if any, unless the service is provided as part of an Individual Case Basis arrangement pursuant to Section 4, in which case the rate or charge applicable to Customer's use of such service shall be the rate or charge specified in such ICB arrangement.

4.2.2 Where this Tariff provides for a Minimum Rate or Charge and a Maximum Rate or Charge for a service, the rate or charge applicable to Customer's use of such service shall be the rate or charge specified for such service in Customer's Customer Service Agreement, if any; provided, however:

- A. If the rate or charge specified for a service in Customer's Customer Service Agreement is less than the Minimum Rate or Charge provided for such service in this Tariff, then the rate or charge

Exhibit PJG 1.13

REDACTED